

REMARKS

Initially, Applicant wishes to thank the Examiner for the telephone conference of February 9, 2007. The Examiner has objected to claims 10, 13-16, 18, 20-25 and 27-28 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter as applicant regards as the invention. The Examiner has objected to the claims for a variety of reasons and each will be addressed in turn.

The Examiner has suggested that the term “polymerizing” is in claims 10 and 18 is vague and indefinite. However, it is well known that polymerization is a process whereby two or more monomers are bonded to form a polymer. See, *The American Heritage Dictionary of the English Language, Fourth Edition*. Houghton Mifflin Company, 2004. Polymerization can occur in a variety of manners including by exposing a material, such as a pre-polymer matrix, to a predetermined stimulus such as temperature or ultraviolet light. The process contemplated by applicant is fully described in the specification at page 6, line 28-page 7, line 30, including the fabrication of a pre-polymer gel and the steps for polymerizing such gel, e.g. exposing the gel to ultraviolet light. Hence, it is believed that the “polymerizing” is in claims 10 and 18 is not vague and indefinite.

The Examiner has also indicated that the phrase “the monitor structure” in claims 10 and 18 should be amended to read “the first monitor structure” in light of applicant’s amendment of September 27, 2006. Applicant has amended such claims are suggested by the examiner.

Claim 10 has also been objected to because, in the Examiner’s opinion, the phrase “the monitor structure generates a visual display independent of the size of the monitor structure in response to exposure of a parameter of the fluid having a predetermined value” is vague and indefinite. Per the Examiner’s suggestion, applicant has amended claim 10 to read that the “...visual display is unrelated to a potential change in the size of the first monitor structure.” It is

believed that such phrase more accurately defines the invention for which protection is sought. In addition, per the Examiner's suggestion, applicant has deleted the phrases "having a predetermined value" from claims 10 and 18. The examiner has indicated that these phrases are superfluous.

Finally, the Examiner's has objected to claims 13-21 because, in the Examiner's opinion, it is not clear of what steps are required to accomplished the "cleaning" and "polymerizing" steps. With respect to the cleaning step, this is fully described in the specification. Applicant refers the Examiner to page 7, line 30 to page 8, line 1 where it specifically states that after the monitor structure is polymerized, the channel is flushed (e.g. with methanol and water) and dried (e.g. by baking at 45 Celsius for 10 hours). Hence, it is believed that all of the steps necessary to fully accomplish the step of "cleaning" in claims 13-21 are described in the specification.

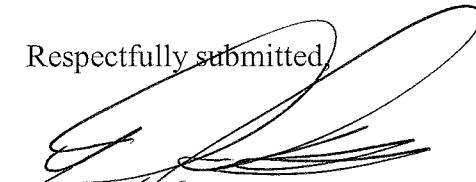
With respect to the Examiner's objection to the "polymerizing" step, as heretofore described with respect to claims 10 and 18, the meaning of the term "polymerization" is well established and the process undertaken to polymerize the pregel or pre-polymer mixture is fully described in the specification. As such, withdrawal of the Examiner's rejection to the phrase is respectfully requested..

In view of the foregoing comments, the amendments to claims 10 and 18, is believed that all of the remaining pending claims, namely, claims 10, 13-15, 16, 18, 22-25 and 27-28 are in proper form for allowance and withdrawal of the Examiner's rejections under 35 USC § 112, second paragraph, is earnestly solicited.

U.S. Serial No.: 10/045,937
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Page 7

Applicant believes that the present application with claims 10, 13-16, 18, 20-25 and 27-28 is in proper form for allowance and such action is earnestly solicited. Applicant believes that no additional fees are required in connection with the present submission. However, the Director is hereby authorized to charge payment of any other fees associated with this communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



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